

Public Law 100-120
100th Congress

Joint Resolution

Making continuing appropriations for the fiscal year 1988, and for other purposes.

Sept. 30, 1987

[H.J. Res. 362]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1988, and for other purposes, namely:

SEC. 101. (a)(1) Such amounts as may be necessary for programs, projects, and activities which were conducted in the fiscal year 1987, under the current terms and conditions and at a rate for operations not in excess of the current rate, for which provision was made in the following and subsequent appropriations Acts:

The Agriculture, Rural Development, and Related Agencies Appropriations Act, 1987, and section 1241(a)(1) of Public Law 99-198;

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1987, notwithstanding section 15(a) of the State Department Basic Authorities Act of 1956 and section 701 of the United States Information and Educational Exchange Act of 1948, as amended;

The Department of Defense Appropriations Act, 1987, notwithstanding section 502(a)(1) of the National Security Act of 1947;

The District of Columbia Appropriations Act, 1987;

The Energy and Water Development Appropriations Act, 1987;

The Foreign Assistance and Related Programs Appropriations Act, 1987, notwithstanding section 10 of Public Law 91-672 and section 15(a) of the State Department Basic Authorities Act of 1956: *Provided*, That the rate for operations shall not be in excess of the current rate or the rate provided for in the budget estimate, whichever is lower;

The Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1987;

The Department of the Interior and Related Agencies Appropriations Act, 1987;

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1987, and section 101(n) of Public Laws 99-500 and 99-591;

The Legislative Branch Appropriations Act, 1987;

The Military Construction Appropriations Act, 1987, except for section 206 of such Act: *Provided*, That the authority available as of September 30, 1987, shall be continued to allow the obligation and expenditure of previously appropriated funds in section 206 for supporting, monitoring, and managing the activi-

ties provided for under section 206 in fiscal year 1987: *Provided further*, That in order to strengthen and continue the peace process in Central America, not to exceed the current rate of \$2,650,000 per month shall be available only for humanitarian assistance and its support, management, and monitoring in accordance with the provisions of title II of the Military Construction Appropriations Act, 1987;

The Department of Transportation and Related Agencies Appropriations Act, 1987; and

The Department of Treasury, Postal Service, and General Government Appropriations Act, 1987.

(2) No appropriation or funds made available or authority granted pursuant to this subsection shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1987.

(3) No appropriation or funds made available or authority granted pursuant to this subsection for the Department of Defense shall be used for new production of items not funded for production in fiscal year 1987 or prior years, for the increase in production rates above those sustained with fiscal year 1987 funds, or to initiate, resume or continue any project, activity, operation or organization which are defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element and for investment items are further defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or other authority were not available during the fiscal year 1987: *Provided*, That no appropriation or funds made available or authority granted pursuant to this subsection for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 102. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) enactment of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) November 10, 1987, whichever first occurs.

SEC. 103. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 104. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 105. No provision in any appropriations Act for the fiscal year 1987 referred to in section 101 of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 102(c) of this joint resolution.

SEC. 106. Appropriations and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

Approved September 30, 1987.

LEGISLATIVE HISTORY:—H.J. Res. 362:

HOUSE REPORTS: No. 100-306 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 133 (1987):

Sept. 23, considered and passed House.

Sept. 25, considered and passed Senate.